

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KATIE BOHN,

Plaintiff,

v.

7:10-CV-1078

COMMISSIONER OF SOCIAL
SECURITY,

Defendants.

THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

This matter brought pursuant to section 205(g) of the Social Security Act, 42 U.S.C. § 405(g) was referred to the Hon. David E. Peebles, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rules 72.3(c).

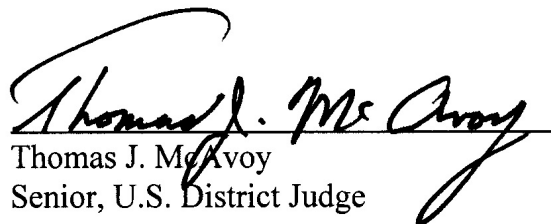
No objections to the March 5, 2012 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, the Court adopts the Report-Recommendation for the reasons stated herein.

It is, therefore, ORDERED that:

- (1) Defendant's motion for judgment on the pleadings is DENIED;
- (2) Plaintiff's motion for judgment on the pleadings is GRANTED; and

(3) The Commissioner's finding of no disability is VACATED and the matter REMANDED to the Commissioner for further proceedings consistent with the court's findings. IT IS SO ORDERED.

Dated: March 28, 2012


Thomas J. McAvoy
Senior, U.S. District Judge